

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

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In re:

DIGITAL MEDIA SOLUTIONS, INC., *et al.*,<sup>1</sup>

Debtors.

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)  
) Chapter 11  
)  
) Case No. 24-90468 (ARP)  
)  
) (Jointly Administered)  
)

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**NOTICE OF FILING THE FORM OF SALE ORDER  
IN CONNECTION WITH THE STALKING HORSE AGREEMENT**

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[Relates to Docket No. 22]

**PLEASE TAKE NOTICE** that on September 12, 2024, the above-captioned debtors and debtors in possession (collectively, the “Debtors”) filed the *Debtors’ Motion for Entry of an Order (I) Approving the Bidding Procedures, (II) Scheduling Certain Dates With Respect Thereto, (III) Approving the Form and Manner of Notice Thereof, (IV) Approving the Stalking Horse Agreement and Expense Reimbursement, (V) Establishing Notice and Procedures for the Assumption and Assignment of Executory Contracts and Unexpired Leases, (VI) Authorizing the Assumption and Assignment of Assumed Executory Contracts and Unexpired Leases, (VII) Authorizing the Sale of Assets, and (VIII) Granting Related Relief* [Docket No. 22] (the “Bidding Procedures Motion”),<sup>2</sup> seeking authorization for the Debtors to conduct a marketing and sale process to sell the Assets, and to enter into the Stalking Horse Agreement, attached as Exhibit 1 to the Bidding Procedures.

**PLEASE TAKE FURTHER NOTICE** that pursuant to the Stalking Horse Agreement, the Debtors hereby file the form of order to approve the Sale Transaction (the “Form of Sale Order”), attached hereto as Exhibit A.

**PLEASE TAKE FURTHER NOTICE** that the Debtors and the Stalking Horse Bidder reserve their rights to modify the Form of Sale Order and will file on the Court’s docket any such revised Form of Sale Order with the applicable redlines.

**PLEASE TAKE FURTHER NOTICE** that the Debtors will seek approval of the Bidding Procedures and Bidding Procedures Motion, including the dates and deadlines set forth therein, at a hearing on **October 16, 2024, at 1:00 p.m. (prevailing Central Time)**, before the Honorable

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<sup>1</sup> A complete list of each of the Debtors in these chapter 11 cases and the last four digits of their federal tax identification numbers may be obtained on the website of the Debtors’ claims and noticing agent at <https://omniagentsolutions.com/DMS>. The location of Debtor Digital Media Solutions, Inc.’s principal place of business and the Debtors’ service address in these chapter 11 cases is 4800 140th Avenue North, Suite 101, Clearwater, Florida 33762.

<sup>2</sup> Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Bidding Procedures Motion or the Bidding Procedures, as applicable.

Judge Perez in Courtroom 400, 4th floor, 515 Rusk Street, Houston, Texas 77002. You may participate in the hearing either in person or by audio and video connection.

*[Remainder of page intentionally left blank]*

Houston, Texas  
Dated: October 10, 2024

/s/ John F. Higgins

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*Proposed Co-Counsel to the Debtors  
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**Certificate of Service**

I certify that on October 10, 2024, I caused a copy of the foregoing document to be served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas.

/s/ John F. Higgins

John F. Higgins